

COPY

PATENT
Atty. Docket No. CRP-101
(2054/70)

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

(Original, Design, National Stage of PCT, Supplemental, Divisional, Continuation or CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☒ original
- ☐ design
- ☐ supplemental
- ☐ national stage of PCT
- ☐ divisional
- ☐ continuation
- ☒ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Manufacture of Autogenous Replacement Body Parts

SPECIFICATION IDENTIFICATION

the specification of which (check one):

- ☐ is attached hereto.

- ☒ was filed on June 2, 1995 as Application Serial No. 08/459,129 or
- ☐ Express Mail No., as Serial No. not yet known _____ and was amended on _____ (if applicable).
- ☐ was described and claimed in PCT International _____ Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if any).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

- ☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one:

- ☐ no such applications have been filed.
- ☐ such applications have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO
THIS U.S. APPLICATION**

Country	Application Number	Date of Filing (mo., day, year)	Priority Claimed Under 37 USC 119
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO
THIS U.S. APPLICATION**

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:**

U.S. APPLICATIONS	U.S. FILING DATE	STATUS
08/253,398	June 3, 1994	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, aband.)
<hr/>	<hr/>	<hr/>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, aband.)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Edmund R. Pitcher	Reg. No. 27,829
Steven M. Bauer	Reg. No. 31,481
Paula A. Campbell	Reg. No. 32,503
Kerry A. Flynn	Reg. No. 33,693
John J. Cotter	Reg. No. 38,116
Douglas J. Kline	Reg. No. 35,574
Loletta L. Darden	Reg. No. 37,603
Gillian M. Fenton	Reg. No. 36,508
Joseph A. Capraro, Jr.	Reg. No. 36,471
Christine C. Vito	Reg. No. 39,061
Robin D. Kelley	Reg. No. 34,637
Robert J. Tosti	Reg. No. 35,393
Duncan A. Greenhalgh	Reg. No. 38,678
Gretchen A. Rice, Ph.D.	Reg. No. 37,429

Direct correspondence to:

Patent Administrator
Creative BioMolecules, Inc.
45 South Street
Hopkinton, MA 01748

Direct telephone calls to:

Christine C. Vito (617) 248-77368

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Roger K. Khouri

Full name of sole or first inventor

USA

Citizenship

Inventor's signature

Date

2 Kingsbury Place, St. Louis, MO 63112

Residence

Same

Post Office Address

Kuber T. Sampath

Full name of sole or second inventor (if any)

USA

Citizenship

Kuber T. Sampath

Inventor's signature

8-28-95

Date

6 Spring Street, Medway, MA 02053

Residence

Same

Post Office Address

**CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S)
WHICH FORM A PART OF THIS DECLARATION**

- ☒ Signature for third and subsequent joint inventors.
Number of pages added 1 .
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added ____ .
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added ____ .
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- ☐ Authorization of attorney(s) to accept and follow instructions from representative.

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.

- ☐ This declaration ends with this page.

ADDED PAGE FOR ADDITIONAL INVENTOR

David C. Rueger

USA

Full name of sole or second inventor (if any)

Citizenship

Inventor's signature

Date

19 Downey Street, Hopkinton, MA 01748

Residence

Same

Post Office Address

259CCV2054/70.94000_1

259CCV2054/70.94000_1

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U.S. APPLICATIONS	U.S. FILING DATE	STATUS
08/253,398	June 3, 1994	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, aband.)
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Gretchen A. Rice, Ph.D.	Reg. No. 37,429

Direct correspondence to:

Patent Administrator
Testa, Hurwitz & Thibault
Exchange Place
53 State Street
Boston, MA 02109-2809 U.S.A.

Direct telephone calls to:

Christine C. Vito (617) 248-77368

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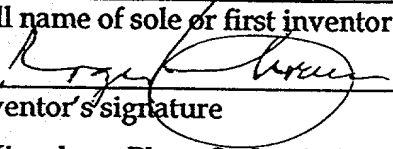
SIGNATURE(S)

Roger K. Khouri

Full name of sole or first inventor

USA

Citizenship


Inventor's signature

Date

2 Kingsbury Place, St. Louis, MI 63112

Residence

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Kuber T. Sampath

Full name of sole or second inventor (if any)

USA

Citizenship

Inventor's signature

Date

6 Spring Street, Medway, MA 02053

Residence

Same

Post Office Address

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